



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

TELECOMMUNICATIONS

PROVISIONAL ORDER

IN THE MATTER OF THE JOINT
PETITION OF VERIZON)
COMMUNICATIONS INC. AND MCI, INC.)
FOR APPROVAL OF MERGER

BPU DOCKET NO. TM05030189

(SERVICE LIST ATTACHED)

BY COMMISSIONER FREDERICK F. BUTLER.

The New Jersey Board of Public Utilities ("Board"), pursuant to N.J.S.A. 48:2-1 et seq., has been granted general supervision and regulation of and jurisdiction and control over all public utility systems which operate within the State of New Jersey. Moreover, the Board has specifically been granted the authority to review certain mergers and acquisitions by and of such public utilities, pursuant to N.J.S.A. 48:2-51.1 and N.J.S.A. 48:3-10.

On March 3, 2005 Verizon Communications Inc. ("Verizon") and MCI, Inc. ("MCI") (jointly "petitioners") filed a petition for the approval of a transaction which would result in MCI becoming a wholly-owned subsidiary of Verizon. On April 18, 2005, Bruce D. Cohen, Esq., counsel of record for Verizon, filed motions to permit the appearance *pro hac vice* of Sherry F. Bellamy and Robert P. Slevin in this proceeding. On May 23, 2005, Mr. Cohen filed a motion to permit the appearance *pro hac vice* of Richard A. Chapkis. The motions were supported by the affidavits of Ms. Bellamy, Mr. Slevin and Mr. Chapkis, in which they state that they are specialists in the field of telecommunications regulation with extensive legal backgrounds in the conduct of legal proceedings involving various Verizon operating telephone companies. All three attorneys state, *inter alia*, that the fees required by New Jersey Court Rules 1:20-1(b) and 1:28-2 are being paid. The attorneys further represent that they will abide by all relevant rules, consent to the appointment of the Clerk of the Supreme Court as service

agent, notify the Board of any matter affecting their standing before the bars of their courts, and have all pleadings, briefs and other papers filed with the Board signed by an attorney authorized to practice in New Jersey.

No party filed any opposition to the Verizon motions.

DISCUSSION

The admission of out-of-state attorneys is determined according to N.J.A.C. 1:1-5.2, which itself references New Jersey Court Rule R. 1:21-1. The Presiding Officer in an administrative matter may, in his or her discretion, permit *pro hac vice* admission if the moving attorney has fulfilled the requirements set out in these two rules.

Based on the uncontested submissions of Bruce D. Cohen, Esq., I find that Sherry F. Bellamy, Robert P. Slevin and Richard A. Chapkis have met the requirements of N.J.A.C. 1:1-5.2 and R. 1:21-1 for *pro hac vice* admission in this proceeding. Specifically, I find that good cause exists for their admission based the sworn representations made by the affiants and on the fact that this case involves a complex area of the law, administrative telecommunications practice, in which Ms. Bellamy, Mr. Slevin and Mr. Chapkis are specialists. Their admission and appearance are subject to the requirements and restrictions set forth on New Jersey Court Rule 1:21-2(c) and payment of appropriate amounts as required by R. 1:20-1(b), R. 1:28-2 and R. 1:28B-1(e).

Accordingly, upon review of the aforementioned motions, I find that good cause exists for the *pro hac vice* admission of Sherry F. Bellamy, Robert P. Slevin and Richard A. Chapkis in this proceeding, and the aforementioned motions are HEREBY GRANTED.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: 7-11-05

BY:


FREDERICK F. BUTLER
COMMISSIONER

SERVICE LIST

I/M/O THE JOINT PETITION OF VERIZON COMMUNICATIONS INC. AND MCI, INC. FOR APPROVAL OF MERGER

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